



U.S. Department of Justice

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

June 30, 2014

BY ECF

Honorable Laura Taylor Swain  
United States District Judge  
Southern District of New York  
500 Pearl Street, Suite 755  
New York, New York 10007

**Re:           *United States v. Daniel Bonventre, et al.*  
              **No. S10 10 Cr. 228 (LTS)****

Dear Judge Swain:

Pursuant to the Court's order dated June 30, 2014 (ECF No. 1040), the Government encloses proposed preliminary orders of forfeiture for defendants Daniel Bonventre and Annette Bongiorno, four weeks in advance of their sentencing, along with declarations supplying the evidentiary basis for the entry of these orders.<sup>1</sup> In accordance with the Court's order, the Government will be making similar submissions for the other defendants over the next two days. Although counsel for both defendants have indicated that they believe a hearing is necessary, the Government believes that all of the disputed issues relevant to these orders can be resolved on the papers, without an in-person evidentiary hearing.

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<sup>1</sup> Following the entry of forfeiture orders, the Government also intends to seek the forfeiture of additional property, where appropriate, as substitute assets pursuant to 21 U.S.C. § 853(p) and Rule 32.2(e). In particular, the Government is seeking, as to each of the defendants, large money judgments that will not be able to be satisfied by the assets of the defendants that have been identified as traceable to crime. If the Government obtains such a money judgment, the Government may accordingly seek forfeiture of the defendants' interest in other property as substitute assets under 21 U.S.C. § 853(p). Similarly, where the Government seeks or obtains forfeiture of less than all of the balance of an account or less than all of the value of a piece of real property as traceable proceeds of crime, the Government intends, after entry of a money judgment, to seek forfeiture of the defendant's interest in the remainder of such property as substitute assets.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ Matthew L. Schwartz

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cc: BY ECF  
All defense counsel